

FILED
U.S. DISTRICT COURT
DISTRICT OF WYOMING

UNITED STATES DISTRICT COURT

DISTRICT OF WYOMING

2023 JUN 30 PM 1:49
MARGARET BOTKINS, CLERK
CHEYENNEUNITED STATES OF AMERICA,
Plaintiff,

v.

ALBERT REUBEN GAINES,
Defendant.

CRIMINAL COMPLAINT

Case Number: 23-MJ-48-5

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

On or about June 5, 2023, in the District of Wyoming, the Defendant, **ALBERT REUBEN GAINES**, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, namely, a Cobra, Model CB9, 9mm caliber pistol bearing serial number CT124166 and the firearm was in and affecting commerce.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(8).

I further state that I am a Special Agent with the ATF and that this complaint is based on the following facts:

(See attached Sworn Statement)

Continued on the attached sheet and made a part hereof.



Krystal L. Stevenson
cn=Krystal L. Stevenson,
email=krystal.stevenson@atf.gov, c=US
2023.06.29 09:25:25 -06'00'

Signature of Complainant

KRYSTAL STEVENSON

Sworn to before me and subscribed by telephone,

June 30, 2023

Date

HON. KELLY H. RANKIN

Chief United States Magistrate Judge

Name & Title of Judicial Officer

at Cheyenne, Wyoming

City and State

Signature of Judicial Officer



AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Krystal Stevenson, being duly sworn, hereby depose and state as follows:

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been so employed since April 2021. I am currently assigned to the ATF Cheyenne Field Office and am responsible for the investigation of violations of federal firearms, explosives, and arson laws.

2. I have received extensive law enforcement training at the Department of Homeland Security's Criminal Investigative Training Program and the ATF's Special Agent Basic Training at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. This six-month training program covered subject matters that included federal criminal statutes, interviewing techniques, arrest procedures, use of force, search and seizure authority, narcotics, undercover techniques, search warrant applications, and various other investigative techniques.

3. As a Special Agent with the ATF, I have experience and am responsible for investigating violations of federal criminal law. Throughout my career, I have participated in and conducted investigations which have resulted in the arrests and convictions of individuals involved in illegal firearms activity, including violations of the Gun Control Act, 18 U.S.C. §§ 921 – 931 (Chapter 44 of Title 18, United States Code), and violations of the National Firearms Act, 26 U.S.C. §§ 5801 – 5872 (Chapter 53 of Title 26, United States Code).

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, law enforcement officials, witnesses, and physical evidence to include surveillance footage. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and does not set forth all my

knowledge about this matter. To the best of my knowledge and belief, all statements made in this affidavit are true and correct.

5. This affidavit is submitted in support of an arrest warrant and criminal complaint charging Albert Reuben GAINES (DOB 01/27/1993) with the violation of Title 18 U.S.C. § 922(g)(1) Felon in Possession of a Firearm. I submit probable cause exists to believe that on or about June 5, 2023, in the State and District of Wyoming, GAINES, did knowingly possess a firearm, that is: Cobra, Model CB9, 9mm caliber pistol bearing serial number CT124166.

6. On June 5, 2023, the Casper dispatch center received multiple calls of a vehicle crash on S. Poplar St. and W. 25th St. in Casper, WY. Officers arrived and made contact with the driver of a white Ford F-150 bearing Wyoming registration 1-47063. The driver was identified as GAINES. GAINES was the only occupant of the vehicle and admitted he was driving. GAINES had driven his vehicle into oncoming traffic, hit a curb, struck a traffic light, then hit another vehicle with two (2) occupants inside. GAINES stated that he had purchased the vehicle a few weeks prior.

7. Officers conducted Standardized Field Sobriety Testing on GAINES with his consent. GAINES showed multiple signs of impairment and was arrested for Driving While Under the Influence and transported to the Natrona County Detention Facility. GAINES's vehicle was searched for evidence of drugs or alcohol. Officers located the following items: drug paraphernalia in the back passenger seat, a marijuana pipe in a blue traveler bag in the back passenger seat, box of twenty (20) 9mm Winchester ammunition and three (3) 12 gauge shotgun shells in a Louis Vuitton bag in the back passenger seat, a black pipe located in a black box in the seat behind the driver's seat, eleven (11) shotgun shells in a "GD" bag located on the front passenger floor board, a black pipe located on the passenger side floor board, a silver pipe in the front driver's side door

pocket, a clear pipe and a multi-colored pipe located under the driver's seat, a Cobra, Model CB9, 9mm caliber pistol bearing serial number CT124166 loaded with two (2) rounds of ammunition located in a black molly pack in the seat behind the driver's seat, multiple pipes located on the front passenger floorboard, a Smith and Wesson .40 caliber magazine with ammunition and a Smith and Wesson .40 caliber box of ammunition located in the center console, clear pipe located under the passenger seat, a white plastic tube containing six (6) white pills, one (1) crushed white pill, and one (1) blue pill, a pipe and sixteen (16) pink pills in a clear baggy on the back passenger seat, and a blue and purple pipe with suspected marijuana located under the front passenger seat. Officers field tested the suspected marijuana, and it yielded a presumptive positive result. Officers also tested a clear pipe with suspected methamphetamine, and it yielded a presumptive positive result.

8. It should be noted that GAINES was searched upon arrival at the Natrona County Detention Facility. Deputies located two (2) blue pills in GAINES's right front pocket. GAINES asked staff if he was going to be charged with bringing contraband into the jail as the pills appeared to be fentanyl.

9. On June 15, 2022, ATF Special Agent Matt Wright determined that the Cobra, Model CB9, 9mm caliber pistol bearing serial number CT124166, was manufactured in Gardena, California by International Die Casting Incorporated, therefore this firearm travelled in interstate commerce.

10. On June 15, 2023, I received a copy of GAINES' Wyoming State Penitentiary Records that indicated he was convicted of Possession of a Controlled Substance (Heroin), Possession of a Controlled Substance (Methamphetamine) and Possession of a Controlled Substance with Intent to Deliver, all felonies, on January 30, 2019.

11. Based on my training, education, and experience, and the information provided to me, I believe Albert GAINES violated Title 18 U.S.C. § 922(g)(1), by knowingly possessing a firearm as a convicted felon.

END OF SWORN STATEMENT

PENALTY SUMMARY

DEFENDANT NAME:	ALBERT REUBEN GAINES
DATE:	June 5, 2023
INTERPRETER NEEDED:	No
VICTIM(S):	No
OFFENSE/PENALTIES:	18 U.S.C. §§ 922(g)(1) and 924(a)(8) (Felon in Possession of a Firearm) 0-15 Years Imprisonment Up To \$250,000 Fine 3 Years Supervised Release \$100 Special Assessment
AGENT:	Krystal Stevenson, ATF
AUSA:	Jonathan C. Coppom, Assistant United States Attorney
ESTIMATED TIME OF TRIAL:	1 to 5 days
WILL THE GOVERNMENT SEEK DETENTION IN THIS CASE:	Yes
ARE THERE DETAINERS FROM OTHER JURISDICTIONS:	No